

Message Text

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ACTION L-01

INFO OCT-01 SS-14 ISO-00 EUR-08 IO-06 EB-04 CIAE-00
INR-05 OMB-01 SIL-01 SP-02 TRSE-00 NSC-05 NSCE-00
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FM AMEMBASSY OSLO

TO SECSTATE WASHDC PRIORITY 3914

AMEMBASSY PARIS PRIORITY

AMEMBASSY TOKYO PRIORITY

USMISSION USUN NEW YORK PRIORITY

C O N F I D E N T I A L OSLO 2816

LIMDIS

PARIS FOR USOECD

E.O. 11652: GDS

TAGS: ECOSOC, EGEN, EINV, OECD, UN, JA, NO

SUBJECT: OECD MINISTERIAL--ILLCIT PAYMENTS

REF: (A) STATE 134235, (B) OSLO 2605, (C) OSLO 1371, (D) STATE 136934

1. WE AGAIN APPROACHED ECONOMIC DEPT IN FOREIGN MINISTRY DIRECTOR
GENERAL BOEGH RE INTERNATIONAL AGREEMENT ON ILLICIT PAYMENTS
PURSUANT INSTRUCTIONS IN STATE 134235. AS WE HAVE REPORTED
(OSLO 2605) NORWAY (A) HAS DROPPED OUT OF WORKING GROUP AND (B)
IS COMMITTED TO GOALS EXPRESSED IN LONDON SUMMIT COMMUNIQUE
AND WILL LEND APPROPRIATE SUPPORT TO US AT OECD MINISTERIAL.
IN OUR SECOND APPROACH TO BOEGH, WE SPECIFICALLY ASKED IF
NORWEGIAN REPRESENTATIVE COULD ATTEND JUNE 20 CONSULTATIONS IN
PARIS TO GIVE SUPPORT TO US POSITION.

2. BOEGH SAID NORWAY HOPED TO RESUME PARTICIPATION IN WORKING
GROUP AS SCANDINAVIAN REPRESENTATIVE BUT HAD NO REGULAR
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REPRESENTATIVE THEY COULD SEND AT THIS TIME. HE WOULD, HOWEVER,
SEE WHETHER A MEMBER OF NORWEGIAN MISSION TO OECD COULD ATTEND
JUNE 20 MEETING. HE WILL CONSULT NORWEGIAN OECD MISSION AND
LET EMBASSY KNOW IF NORWAY CAN PARTICIPATE BUT SAID THAT NORWAY
WOULD SUPPORT US AT OECD MINISTERIAL IN ANY EVENT.

3. EMBASSY SUBSEQUENTLY CONSULTED OFFICE DIRECTOR KNUT BERGER IN

FOREIGN MINISTRY ECONOMIC DEPT RE PROPOSED TEXT ON ILLICIT PAYMENTS FOR OECD COMMUNIQUE (STATE 136934) SINCE BOEGH UNAVAILABLE. BERGER SAID PROPOSED COMMUNIQUE TEXT SOUNDED ALL RIGHT, BUT THAT NORWAY HAD NOT FOLLOWED WORKING GROUP CLOSELY SINCE IT HAD DROPPED OUT LAST MARCH (OSLO 1371) AND MIGHT HAVE DIFFICULTIES SUPPORTING LANGUAGE IF, FOR EXAMPLE, UK WAS OPPOSED.

4. BERGER ALSO SAID JAPANESE HAD GIVEN FOREIGN MINISTRY A NOTE ON JUNE 8 RAISING A NUMBER OF QUESTIONS CONCERNING ILLICIT PAYMENTS. HE PROVIDED EMBASSY WITH A COPY OF NORWEGIAN REPLY REPRODUCED IN PARA 5 AND NOTED THAT US PROPOSAL TO ESTABLISH AN ENLARGED WORKING GROUP WAS SUPPORTED BY NORWAY AND, IF APPROVED, WOULD GIVE GON AN OCCASION TO RE-EXAMINE QUESTION OF ACTIVE PARTICIPATION IN ILLICIT PAYMENTS WORKING GROUP.

5. TEXT OF GON NOTE:

QUOTE THE ROYAL MINISTRY OF FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF JAPAN AND HAS THE HONOUR TO ACKNOWLEDGE RECEIPT OF THE EMBASSY'S NOTE NO. 26 DATED 8 JUNE 1977 CONCERNING THE DRAFTING OF AN INTERNATIONAL AGREEMENT REGARDING ILLICIT PAYMENTS IN INTERNATIONAL TRANSACTIONS.

NORWAY IS NOT A MEMBER OF THE AD HOC INTERGOVERNMENTAL GROUP OF ECOSOC WHICH WILL RESUME ITS 3RD SESSION FROM 27 JUNE TO 1ST JULY 1977. THE NORWEGIAN AUTHORITIES HAVE THEREFORE NOT FORMULATED ANY DEFINITE VIEWS ON THE QUESTIONS RAISED BY THE EMBASSY. THE NORWEGIAN AUTHORITIES HAVE BEEN AWAITING THE REPORT OF THIS AD HOC GROUP WITH A VIEW TO CONSIDER IT IN PREPARATION OF THE 63RD SESSION OF ECOSOC.

AS FOR THE PRECISE QUESTIONS FORMULATED IN THE EMBASSY'S NOTE
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THE MINISTRY MAY GIVE THE FOLLOWING COMMENTS:

1 (I) NOT BEING A MEMBER OF THE GROUP, NORWAY HAS NOT TAKEN A STAND ON THE FORM OF THE GROUP'S REPORT TO ECOSOC. HOWEVER, THE PROCEDURE REFERRED TO IN THE EMBASSY'S NOTE WOULD SEEM USEFUL IN ORDER TO FACILITATE THE FURTHER CONSIDERATION OF THE ISSUE IN THE U.N.

1 (II) ACCORDING TO INFORMATION RECEIVED FROM THE U.S. AUTHORITIES THE UNITED STATES INTEND TO PROPOSE THAT AN ENLARGED WORKING GROUP BE ESTABLISHED TO START WORKING OUT AN AGREEMENT IN THE AUTUMN OF THIS YEAR AND THAT A CONFERENCE BE CALLED IN 1978 TO FINALIZE THE AGREEMENT. AS A PRELIMINARY VIEW, THIS MINISTRY IS FAVOURABLY INCLINED TOWARDS SUCH A PROCEDURE, PROVIDED THE REPORT OF THE AD HOC GROUP GIVES REASON TO BELIEVE THAT A USEFUL AGREEMENT CAN BE WORKED OUT. IT MAY PERHAPS BE THE MOST APPROPRIATE PROCEDURE TO DEFER A DECISION ON THE CONVENING OF A CONFERENCE UNTIL A DRAFT CONVENTION HAS BEEN PRODUCED BY THE ENLARGED GROUP ENVISAGED.

2 (I) NORWAY IS IN PRINCIPLE STRONGLY IN FAVOUR OF INTERNATIONAL MEASURES TO COMBAT CORRUPT BUSINESS PRACTICES AND WILL THEREFORE CONSIDER FAVOURABLY PARTICIPATING IN AN INTERNATIONAL AGREEMENT

TO THIS END, BUT AT THIS STAGE THE QUESTION OF NORWEGIAN PARTICIPATION REMAINS OPEN.

THE OTHER QUESTIONS RAISED BY THE EMBASSY WILL HAVE TO BE STUDIED FURTHER BY THE COMPETENT NORWEGIAN AUTHORITIES BEFORE ANY VIEWS ARE EXPRESSED AND CONSEQUENTLY THIS MINISTRY IS NOT IN A POSITION TO COMMENT ON THEM AT THIS STAGE.

(COMPLIMENTARY CLOSE) UNQUOTE

6. BERGER STILL HAD NO INFORMATION ON NORWEGIAN PARTICIPATION IN JUNE 20 MEETING BUT PROMISED TO ADVISE EMBASSY BEFORE W/E FRIDAY, JUNE 17.
ANDERS

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